

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

SHERRY NEAL,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:08-CV-521
)	(VARLAN/SHIRLEY)
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This Social Security appeal is before the Court on the Report and Recommendation filed by United States Magistrate Judge C. Clifford Shirley, Jr. [Doc. 28]. There have been no timely objections to the report and recommendation, and enough time has passed since the filing of the report and recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). In his report and recommendation, Magistrate Judge Shirley recommended that Plaintiff's Motion for Attorneys Fees Under Equal Access to Justice Act, 28 U.S.C. § 2412(d) [Doc. 24], be granted.

The Court has carefully reviewed this matter, including the motion for attorney fees [Doc. 24], and the response of defendant Commissioner of Social Security [Doc. 27], in which the Commissioner submits to the Court that there is no opposition to payment of attorney fees to plaintiff in the amount requested by plaintiff. In light of the parties' agreement and because the Court is also in agreement with Magistrate Judge Shirley's report and recommendation, which the Court adopts and incorporates into its ruling, Plaintiff's

Motion for Attorneys Fees Under Equal Access to Justice Act, 28 U.S.C. § 2412(d) [Doc. 24], is hereby **GRANTED**. The Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 28].

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE